

REMARKS

In the Office Action dated June 13, 2006, the Examiner rejected claims 1, 6, and 8 through 18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over a document authored by N.T. Chan, E. Dahan, A.W. Lo, and T. Poggio, entitled “Experimental Markets for Product Concepts,” Center for eBusiness @MIT, Paper 149 (July 2001) (herein referred to as “Chan”) in view of U.S. Patent No. 6,269,361 to Davis *et al.* (herein referred to as “Davis”) and a document authored by Rachel McAlpine, entitled “Web Word Wizardry,” Ten Speed Press, (2001) (herein referred to as “McAlpine”). Paper No. 20060605, page 3.

Upon entry of the present Amendment, claims 1, 6 and 8 through 18 are pending (with claims 1, 13, 16, and 17 being independent claims), with claims 2 through 5 and 7 withdrawn as being directed to non-elected species. Claims 1, 10, 13, 16 and 17 are presently amended. Support for the present amendments may be found throughout Applicants’ specification, including, *inter alia*, pages 8 through 10, 16, and 18 through 22 of the written description, as well as Figures 2 through 5 of the drawings. These changes are believed to introduce no new matter and their entry is respectfully requested. Based on the above amendments and the remarks submitted herewith, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding objections and rejections.

Although Applicants respectfully disagree with the Examiner’s rejection of the pending claims under 35 U.S.C. § 103(a), this rejection is moot in light of the amendments submitted herewith as the combination of Chan, Davis and McAlpine fail to teach or suggest the claims as amended. For example, independent claims 1 and 13 have been amended to recite the step of “determining a value of the term-based concept based at least in part on a demand for at least one term from the set of terms during one or more computerized searches related to the at least one term,” which is neither taught nor suggested by Chan, Davis, or McAlpine, taken alone

or in combination with each other. More specifically, the “keywords” discussed in Davis and McAlpine do not represent a term-based concept as recited in independent claims 1 and 13, and further described in Applicants’ specification. It follows, therefore, that the combination of Davis and McAlpine cannot teach or suggest the recited valuation of “a term-based concept based at least in part on a demand for at least one term from the set of terms” determined for the term-based concept. Chan fails to cure the defects of both Davis and McAlpine, since Chan also fails to teach or suggest this element.

Independent claims 16 and 17 are amended herewith to recite “determining a value of the first term-based concept based at least in part on a demand for at least one term from the first set of terms during one or more computerized searches related to the at least one term from the first set,” which is neither taught nor suggested by Chan, Davis, or McAlpine, either alone or in various combinations, for at least the reasons stated above with respect to independent claims 1 and 3.

The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over the art of record. Given the Applicants’ position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

In addition to the foregoing, Applicants respectfully request rejoinder of non-elected claims 2 through 5 and 7, since they depend from independent claim 1, which Applicants assert is allowable on the basis of the amendments and remarks submitted herewith. Therefore, Applicants respectfully request reconsideration and withdrawal of the restriction, as well as allowance of claims 2 through 5 and 7.

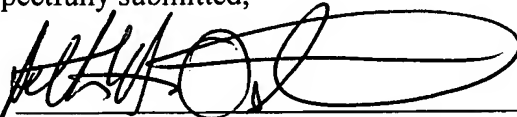
For the above reasons, the Applicants submit that the present invention, as claimed, is patentable over the references cited by the Examiner. Accordingly, reconsideration

and allowance of pending claims 1, 6 and 8 through 18 is therefore respectfully solicited. To expedite prosecution, the Examiner is invited to contact the Applicant's representative at the number below.

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Respectfully submitted,

By:



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